

THURSDAY, MARCH 23, 1995

TWENTY-FOURTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by the Reverend Barry Brewer, Harpeth Hills Church of Christ, Brentwood, Tennessee.

Representative Callicott led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Venable; business reasons.

Representative Kent; family illness.

Representative Garrett; illness.

Representative Jackson; personal reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 177: Rep(s). Walley as prime sponsor(s).

House Joint Resolution No. 178: Rep(s). Herron as prime sponsor(s).

House Bill No. 17: Rep(s). Dunn and Williams (Union) as prime sponsor(s).

House Bill No. 278: Rep(s). Williams (Union), Boyer and Haley as prime sponsor(s).

MESSAGE FROM THE SENATE
March 23, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 125; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 125 -- Memorials, Public Service -- Charles H. Dean, former Knoxville Utility Board General Manager and Chairman of TVA. by *Gilbert.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Resolution No. 30 -- General Assembly, Review Or Ratification of Rules -- Ratifies amendments to Rules of Civil Procedure. by *Buck.

Judiciary Committee

House Resolution No. 31 -- General Assembly, Review Or Ratification of Rules -- Ratifies amendments to Rules of Criminal Procedure. by *Buck.

Judiciary Committee

House Resolution No. 32 -- General Assembly, Review Or Ratification of Rules -- Ratifies amendments to Rules of Appellate Procedure. by *Buck.

Judiciary Committee

House Joint Resolution No. 180 -- Memorials -- Memorials - Observe Ten Commandments, May 7-17, 1995. by *Peach.

State and Local Government Committee

RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 27, 1995:

House Resolution No. 36 -- Memorials, Death -- Charles H. Lynch, Jr. by *Williams (Union).

House Resolution No. 37 -- Memorials, Death -- Lynn E. "Cotton" Kitts. by *Williams (Union).

House Joint Resolution No. 181 -- Memorials, Sports -- Rick Byrd, Head Coach Belmont University men's basketball team, NAIA Coach of the Year. by *Odom.

House Joint Resolution No. 182 -- Memorials, Death -- Clinton "Spider" Webb. by *Roach.

House Joint Resolution No. 183 -- Memorials, Death -- James Mitchell Hayes. by *Jackson.

House Joint Resolution No. 184 -- Memorials, Public Service -- Walter M. "Buck" Work. by *Jackson.

SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 27, 1995:

Senate Joint Resolution No. 107 -- Memorials, Professional Achievement -- Carolyn Payne, 1994 Teacher Excellence Award, Hamilton County. by *Crutchfield.

Senate Joint Resolution No. 109 -- Memorials, Death -- Martha Rimlinger O'Rear. by *Rochelle, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Dixon, *Elsea, *Ford, *Fowler, *Gilbert, *Hamilton, *Harper, *Haun, *Haynes, *Henry, *Holcomb, *Jordan, *Koella, *Kyle, *Leatherwood, *McNally, *Miller, *O'Brien, *Person, *Rice, *Springer, *Wallace, *Wilder, *Womack, *Wright.

Senate Joint Resolution No. 111 -- Memorials, Retirement -- Joseph Daniel Buckner. by *Springer, *Kyle.

Senate Joint Resolution No. 112 -- Memorials, Retirement -- Sidney Chism. by *Dixon, *Kyle.

Senate Joint Resolution No. 113 -- Memorials, Personal Achievement -- Matthew Morrell, Eagle Scout. by *Haun.

Senate Joint Resolution No. 114 -- Memorials, Academic Achievement -- Amqui Elementary School of Madison, selected best school in state by Redbook magazine. by *Haynes.

Senate Joint Resolution No. 116 -- Memorials, Death -- James H. McMahon, IV. by *McNally, *Jordan.

Senate Joint Resolution No. 117 -- Memorials, Sports -- Johnson County High School basketball team. by *Crowe.

Senate Joint Resolution No. 119 -- Memorials, Retirement -- Steve Conrad, Hamilton County Election Commission Registrar-at-Large. by *Crutchfield.

Senate Joint Resolution No. 120 -- Memorials, Public Service -- UPS, philanthropic efforts in East Tennessee. by *Atchley, *Hamilton.

Senate Joint Resolution No. 128 -- Memorials, Recognition and Thanks -- Rev. Felton M. Smith, Jr., 25 years with Temple of Faith Church. by *Crutchfield.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1854 -- Harriman -- Subject to local approval, authorizes hotel/motel tax. by *Cantrell.

House Bill No. 1855 -- Ridgely -- Changes term of office from two to four years for mayor and aldermen. Amends Chapter 297 of the Private Acts of 1909, as amended. by *Pinion.

House Bill No. 1856 -- Benton County -- Subject to local approval, authorizes severance tax on pulpwood. by *Peach.

***House Bill No. 1857** -- Madison County--Subject to local approval, expands list of eligible persons submitted by sheriff's department civil service commission to sheriff to include all qualified persons rather than top seven applicants. Amends Chapter 54, Private Acts of 1983, as amended. by *McDaniel.

***House Bill No. 1858** -- Madison County -- Subject to local approval, establishes position of highway engineer to be appointed by legislative body for four year term. by *McDaniel.

House Bill No. 1859 -- Henderson County -- Changes monetary amount of county purchases or sales subject to bidding process from \$1,000 to maximum amount specified in County Purchasing Law. Amends Chapter 59, Private Acts of 1983. by *McDaniel.

DELAYED BILLS REFERRED

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1861 and 1862 was/were referred to the Delayed Bills Committee.

***House Bill No. 1861** -- Parks, Natural Areas Preservation -- Designates segment of Tumbling Creek from its head waters for a distance of 6 miles as Class II Pastoral River Area. Amends TCA Title 11, Chapter 13. by *Jackson.

***House Bill No. 1862** -- Sales -- Clarifies definitions relative to sales representatives and commissions; determines at what times commissions become due; sets out jurisdictional guidelines. Amends TCA Section 47-50-114. by *Jackson.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill:

***Senate Bill No. 82** -- Noise Pollution -- Excludes sports shooting range operators and users of such ranges from civil liability or criminal prosecution relative to noise pollution in certain cases. Amends TCA Title 39. by *Henry, *Kyle, *Miller.

***Senate Bill No. 446** -- Children, Employment of -- Deletes requirements that employee or minor must have 30 minute unpaid rest break or meal period if scheduled to work six hours consecutively. Amends TCA Section 50-2-103(d) and Section 50-5-115. by *Koeila, *Miller.

***Senate Bill No. 758** -- Architects and Engineers -- Authorizes board of architects, engineers, landscape engineers, and interior designers to promulgate rules relative to continuing education requirements. Amends TCA Section 62-2-203. by *Haynes.

***Senate Bill No. 779** -- Administrative Procedure -- Clarifies that when effectiveness of rules are suspended by action of general assembly, prior rules will remain in effect. Amends TCA Titles 2 through Title 71. by *Haynes.

***Senate Bill No. 1184** -- Nurses, Nursing -- Permits nurse practitioners under supervision of osteopathic physicians to prescribe medication. Amends TCA 53-10-104(a)(1), 53-10-105(b)(2); 63-1-132(c); 63-10-101(7), 201(c)(2). by *Miller.

***Senate Bill No. 1314** -- Safety -- Restricts exemption of open air facilities where portable facilities can be located to those existing prior to July 1, 1985 under Tennessee Equitable Restrooms Act. Amends TCA Title 68, Chapter 120, Part 5. by *Cohen.

***Senate Bill No. 1630** -- Hazardous Materials -- Redefines "commercial facility" for storage and treatment of hazardous waste to exclude facilities which receive mixed hazardous waste pursuant to order or agreement with commissioner of environment and conservation or solid waste disposal control board. Amends TCA Section 68-212-104. by *Haun, *McNally.

COMMITTEE ON CALENDAR AND RULES
March 23, 1995

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 27, 1995**: House Bill(s) No(s). 1373, 1374, 1376, 157, 949, 1701, 296 and 1236.

The Committee set the following bills on the **Regular Calendar** for **March 29, 1995**: House Bill(s) No(s). 971, 1607, 1673, 599, 1113, 1320, 553 and 889.

CONSENT CALENDAR

House Resolution No. 33 -- Memorials, Death -- Ethel Sharp Woodson. by *Williams (Union).

House Resolution No. 34 -- Memorials, Death -- Thomas L. Walker. by *Williams (Union).

House Resolution No. 35 -- Memorials, Personal Achievement --
Eric Todd Sefton, Eagle Scout. by *Byrd.

House Joint Resolution No. 120 -- Naming and Designating --
Free Enterprise Week, March 19-23, 1995. by *Ridgeway, *Kisber.

House Joint Resolution No. 174 -- Memorials, Recognition and
Thanks -- Memphis Branch, NAACP Freedom Fund Gala. by *Bowers, *Jones
R (Shelby), *Towns, *Miller, *Brooks, *Turner (Shelby), *DeBerry J,
*Jones U (Shelby), *Haley, *Kernell, *Joyce, *Chumney, *DeBerry L.

House Joint Resolution No. 175 -- Memorials, Academic
Achievement -- Amqui Elementary School, Redbook magazine's one of best
elementary schools in nation. by *Robinson.

House Joint Resolution No. 177 -- Memorials, Sports --
Adamsville High school boys' basketball team, TSSAA class A state
runner-up. by *Rinks.

House Joint Resolution No. 178 -- Memorials, Congratulations --
Tennessee Kappa Chapter of Sigma Phi Epsilon Fraternity at UT Martin
upon presentation of charter. by *Williams (Williamson).

House Joint Resolution No. 179 -- Naming and Designating --
"Martin Methodist College 'Lady Indians' Appreciation Week," March 21-
26, 1995. by *Fowlkes.

Senate Joint Resolution No. 98 -- Memorials, Retirement --
Charles Franklin Holmes. by *Kyle, *Dixon.

Senate Joint Resolution No. 103 -- Memorials, Congratulations -
- Tennessee School for the Deaf, Sesquicentennial Anniversary. by
*Atchley, *Gilbert, *McNally, *Wilder, *Kyle, *Burks.

Senate Joint Resolution No. 105 -- Memorials, Retirement --
Donald Daugherty, Sr. by *O'Brien.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills
having companion Senate Bills and are on the Clerk's desk be
conformed and substituted for the appropriate House Bill, all Senate
and House Bills on the Consent Calendar be passed on third and final
consideration, all House Resolutions and House Joint Resolutions be
adopted, and all Senate Joint Resolutions on the Consent Calendar be
concurrent in, which motion prevailed by the following vote:

Ayes..... 95
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers,
Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck,
Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole
(Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J.,
DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens,
Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron,
Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby),
Joyce, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel,
McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton,
Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart,
Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley,

Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 1069 -- Securities -- Expands types of securities in which self insured workers' compensation pools may invest idle funds. Amends TCA 50-6-405, 50-4-210. by *Kisber (*SB904 by *Rochelle).

Further consideration of House Bill No. 1069, previously considered on March 13, 1995, and reset for today's Calendar.

Rep. Kisber moved that House Bill No. 1069 be passed on third and final consideration.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Kisber moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1069 by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-405(c), is amended by adding the following language:

Notwithstanding any other law or rule to the contrary, funds not needed for current obligations may be invested by the board of trustees in "Tennessee securities" as that term is defined in Section 56-4-210(b). The board of trustees of each workers' compensation pool shall adopt an investment policy. Such policy shall address credit, quality of investments, maximum maturity of investments and such other matters as the board deems appropriate.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

Rep. Kisber moved that **House Bill No. 1069**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L.,

Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 787 -- Election Laws -- Allows county election commissions to maintain absentee voting records electronically instead of in notebook binders. Amends TCA Section 2-6-301. by *West (*SB748 by *Harper, *Rochelle, *Haynes, *Henry).

On motion, House Bill No. 787 was made to conform with **Senate Bill No. 748**; the Senate Bill was substituted for the House Bill.

Rep. West moved that **Senate Bill No. 748** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callcott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1284 -- Election Laws -- Increases base minimum yearly salary of any registrar at large in Davidson or Shelby County from 65 to 80 percent of salary of such county's assessor of property. Amends TCA 2-12-208. by *West (*SB855 by *Person).

Rep. West moved that House Bill No. 1284 be reset to the Calendar for Monday, April 10, 1995, which motion prevailed.

House Joint Resolution No. 97 -- Memorials, Government Officials -- Urges Tennessee Bicentennial Commission to use "Tennessee State Symbols." by *West.

Rep. West moved that **House Joint Resolution No. 97** be adopted, which motion prevailed by the following vote:

Ayes..... 95
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1118 -- Education, Higher -- Allows Tennessee student assistance corporation to guarantee loans under Higher Education Act of 1965, for nonresident students or their parents if such loans are made through Tennessee lender. by *Davidson, *Winningham (*SB841 by *Womack, *Atchley, *Springer, *Leatherwood).

Rep. Davidson moved that **House Bill No. 1118** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 92
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Joyce, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their official stand from not voting to aye on House Bill No. 1118 and have this statement entered in the Journal: Rep(s). Brooks.

REGULAR CALENDAR, CONTINUED

House Bill No. 1451 -- Alcoholic Beverages -- Permits sale of imported malt beverages in kegs with capacity between 13 and 14 gallons. Amends TCA 576-104(i). by *Jones U (Shelby), *Towns, *Miller, *Jones R (Shelby), *Turner (Shelby), *Bowers, *Kernell (*SB5 by *Cohen, *Henry).

On motion, House Bill No. 1451 was made to conform with **Senate Bill No. 5**; the Senate Bill was substituted for the House Bill.

Rep. Jones U (Shelby) moved that Senate Bill No. 5 be passed on third and final consideration.

Rep. Kerr moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Kerr moved adoption of Amendment No. 2 as follows:
Amendment No. 2

AMEND Senate Bill No. 5 by inserting the following in the amendatory language of Section 1 immediately after the words, figures, and symbols " fourteen (14) gallons" :

[or forty-nine (49) to fifty-three (53) liters]

On motion, Amendment No. 2 was adopted.

Rep. Jones U (Shelby) moved that **Senate Bill No. 5**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	60
Noes.....	25
Present and not voting.....	7

Representatives voting aye were: Armstrong, Arriola, Bell, Bittle, Bowers, Bragg, Brooks, Brown, Buck, Callicott, Cantrell, Chumney, Clabough, Cole (Dyer), Davidson, Davis, DeBerry, L., Duer, Eckles, Fitzhugh, Fowlkes, Gunnels, Halteman Harwell, Hargrove, Hassell, Head, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kerr, Kisber, Langster, McKee, McMillan, Miller, Napier, Newton, Odom, Phelan, Pruitt, Purcell, Rigsby, Rinks, Robinson, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), West, Westmoreland, Whitson, Williams (Williamson), Mr. Speaker Naifeh -- 60.

Representatives voting no were: Beavers, Burchett, Byrd, Coffey, Cross, Curtiss, Dunn, Givens, Haley, Herron, McAfee, McDaniel, McDonald, Peach, Phillips, Ramsey, Ridgeway, Roach, Sharp, Walley, White, Williams (Union), Windle, Winningham, Wood -- 25.

Representatives present and not voting were: Boyer, DeBerry, J., Ford, Lewis, Pinion, Rhinehart, Ritchie -- 7.

A motion to reconsider was tabled.

***House Bill No. 17** -- Taxes, Real Property -- Establishes vacant land held and used by nonprofit organization whose primary purpose is to construct single family dwelling to be conveyed to low income family is exempt from property tax from date acquired to date conveyed, not to exceed specified time period. Amends TCA Title 67, Chapter 5, Part 2. by *Phelan, *McKee, *Cole (Dyer), *Givens, *Cross, *Ridgeway, *Kisber, *Phelan (SB100 by *Carter).

Rep. Phelan moved that House Bill No. 17 be passed on third and final consideration.

Rep. Jones R (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 17 by deleting the first sentence of the amendatory language of Section 1 and by substituting the following:

Subject to the application requirements of §67-5-212, land owned by a charitable institution and held for the purpose of constructing one (1) or more single family dwellings to be conveyed for use as the residence of a low-income household as defined in §13-23-103(12), shall be exempt during the period of its ownership by the charitable institution until the date it is conveyed to the adult head(s) of the low-income household, but not to exceed the periods established in subsections (b) and (c) of this section. The effective date of exemption shall be determined under §67-5-212.

AND FURTHER AMEND by adding the following phrase at the end of Section 2:
and shall apply to the 1995 tax year and subsequent years.

On motion, Amendment No. 1 was adopted.

Rep. Jones R (Shelby) moved adoption of State and Local Government Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 17 by adding the following language as a new subsection (d) at the end of the amendatory language of Section 1:

(d) The provisions of this section shall be implemented in any county upon the adoption of a resolution by two-thirds (2/3) vote of the county legislative body.

On motion, Amendment No. 2 was adopted.

Rep. Phelan moved that **House Bill No. 17**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94
Noes..... 1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kerr, Kiser, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Callicott -- 1.

A motion to reconsider was tabled.

House Bill No. 1295 -- Utilities, Utility Districts -- Transfers responsibility over water and waste water treatment authority from board to county executive in Hamilton County. Amends TCA Title 5, Chapter 6. by *Stulce (*SB1570 by *Crutchfield, *Rochelle).

On motion, House Bill No. 1295 was made to conform with **Senate Bill No. 1570**; the Senate Bill was substituted for the House Bill.

Rep. Stulce moved that **Senate Bill No. 1570** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Armstrong, Arriola, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kerr, Kiser, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Brooks, Brown -- 2.

A motion to reconsider was tabled.

***House Bill No. 173** -- Probate Law -- Allows employee to designate beneficiary to receive any unpaid wages or salary upon

employee's death. Amends TCA 30-2-103. by *Fowlkes (SB254 by *Jordan).

Rep. Fowlkes moved that House Bill No. 173 be passed on third and final consideration.

Rep. Armstrong moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 173 by deleting in its entirety subdivision (a)(4) of Section 1 of the printed bill.

On motion, Amendment No. 1 was adopted.

Rep. Fowlkes moved that **House Bill No. 173**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 93
Noes..... 1

Representatives voting aye were: Armstrong, Arriola, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Joyce -- 1.

A motion to reconsider was tabled.

House Bill No. 1323 -- Taxes -- Allows trustees of charitable remainder trust to report amount of taxable income to resident beneficiaries rather than to make returns for such beneficiaries; permits Tennessee trustees who receive income for non Tennessee beneficiaries to not pay tax on income delivered from stocks and bonds; however, executors or administrators who receive income from stocks and bonds which belonged to Tennessee decedent must pay taxes on such income until the stocks and bonds are distributed to heirs. Amends TCA Section 67-2-110. by *Fowlkes (*SB1263 by *Cohen).

Rep. Fowlkes requested that House Bill No. 1323 be moved to the heel of the Calendar, which motion prevailed.

***House Bill No. 278** -- Alcoholic Offenses -- Requires suspension of driver license of 18 to 20 year old for consumption of alcoholic beverages or beer in addition to present law suspending

license for conviction for purchase, attempt to purchase or possession. Amends TCA 13-113, 55-10-701, 57-4-203, 57-5-301. by *Kisber (SB358 by *Cooper).

Rep. Kisber moved that House Bill No. 278 be passed on third and final consideration.

Rep. Westmoreland moved the previous question, which motion prevailed.

Rep. Kisber moved that **House Bill No. 278** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	79
Noes.....	8
Present and not voting.....	3

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Boyer, Bragg, Buck, Burchett, Byrd, Cantrell, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Joyce, Kisber, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odum, Patton, Peach, Phelan, Phillips, Pinion, Ramsey, Ridgeway, Rigby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 79.

Representatives voting no were: Bowers, Brooks, Brown, Callicott, Head, Kerr, Rhinehart, Turner (Shelby) -- 8.

Representatives present and not voting were: Chumney, DeBerry, L., Kernell -- 3.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from no to aye on House Bill No. 278 and have this statement entered in the Journal: Rep(s). Kerr.

REGULAR CALENDAR, CONTINUED

House Bill No. 1244 -- State Symbols -- Designates Tennessee cave salamander as state amphibian and eastern box turtle as state reptile. Amends TCA Title 4, Chapter 1, Part 3. by *Patton, *Roach, *Whitson, *Beavers, *Cole (Carter) (*SB1491 by *Crowe).

Rep. Patton moved that **House Bill No. 1244** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	82
Noes.....	3
Present and not voting.....	9

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davis, DeBerry, J., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hassell, Head, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phillips, Pruitt, Ramsey, Rhinehart, Ridgeway, Rigby, Rinks, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Windle, Winningham, Wood -- 82.

Representatives voting no were: Herron, Phelan, Mr. Speaker Naifeh -- 3.

Representatives present and not voting were: Chumney, Davidson, DeBerry, L., Hargrove, McDonald, Pinion, Purcell, Ritchie, Williams (Williamson) -- 9.

A motion to reconsider was tabled.

***House Joint Resolution No. 106** -- Constitutional Amendments -- Deletes constitutional ban on lotteries. by *Kernell, *Langster, *Cantrell.

Rep. Kernell requested that the Clerk read the Tennessee Constitution regarding Constitutional Amendments.

Rep. Kernell requested that the Clerk read the resolution for the first Constitutional reading.

The Clerk read the resolution for the first Constitutional reading.

Rep. Kernell moved that House Joint Resolution 106, pursuant to the Tennessee Constitution, be reset to the Calendar for March 27, 1995, which motion prevailed.

***House Bill No. 1739** -- Traffic Safety -- Adds "bicycle" to definition of "authorized emergency vehicle"; defines "certified police cyclist"; authorizes police cyclists to use bicycle as crowd control device; exempts police cyclist from certain laws regarding bicycle regulations. Amends TCA Title 55, Chapter 8. by *Robinson (*SB1607 by *Harper, *Rochelle, *Henry, *Haynes).

Rep. Robinson moved that **House Bill No. 1739** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J.,

DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kerr, Kisber, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 953 -- Education -- Requires school principal to report to appropriate law enforcement officer reasonable suspicion of student's violation of carrying weapon on school property. Amends TCA 49-6-4209. by *Odom, *Pruitt, *Robinson, *Garrett, *Arriola, *Jones S, *Purcell, *Davidson (*SB784 by *Haynes).

Rep. Odom moved that **House Bill No. 953** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kerr, Kisber, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Brooks, Brown -- 2.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE March 23, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1263; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 1263** -- Taxes -- Allows trustees of charitable remainder trust to report amount of taxable income to resident beneficiaries rather than to make returns for such beneficiaries; permits Tennessee trustees who receive income for non Tennessee beneficiaries to not pay tax on income delivered from stocks and bonds; however, executors or administrators who receive income from

stocks and bonds which belonged to Tennessee decedent must pay taxes on such income until the stocks and bonds are distributed to heirs. Amends TCA Section 67-2-110. by *Cohen.

REGULAR CALENDAR, CONTINUED

House Bill No. 1323 -- Taxes -- Allows trustees of charitable remainder trust to report amount of taxable income to resident beneficiaries rather than to make returns for such beneficiaries; permits Tennessee trustees who receive income for non Tennessee beneficiaries to not pay tax on income delivered from stocks and bonds; however, executors or administrators who receive income from stocks and bonds which belonged to Tennessee decedent must pay taxes on such income until the stocks and bonds are distributed to heirs. Amends TCA Section 67-2-110. by *Fowlkes (*SB1263 by *Cohen).

Further consideration of House Bill No. 1323, previously considered on today's Calendar.

On motion, House Bill No. 1323 was made to conform with **Senate Bill No. 1263**; the Senate Bill was substituted for the House Bill.

Rep. Fowlkes moved that **Senate Bill No. 1263** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kerr, Kisber, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winingham, Wood, Mr. Speaker Naifeh -- 92.

Representatives present and not voting were: Boyer -- 1.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Ritchie moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 125 out of order, which motion prevailed.

Senate Joint Resolution No. 125 -- Memorials, Public Service -- Charles H. Dean, former Knoxville Utility Board General Manager and Chairman of TVA. by *Gilbert.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Ritchie, the resolution was concurred in.

A motion to reconsider was tabled.

SPONSORS ADDED

Under Rule No. 43, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 89: Rep(s). Haley as prime sponsor(s).

House Joint Resolution No. 106: Rep(s). Chumney, Davis, Jones S, Pruitt, Towns and Miller as prime sponsor(s).

House Bill No. 1: Rep(s). Haley as prime sponsor(s).

House Bill No. 185: Rep(s). McDonald as prime sponsor(s).

House Bill No. 406: Rep(s). Rinks, Bird, Bittle, Shirley, Jones R (Shelby), Turner (Shelby), Bowers and Hassell as prime sponsor(s).

House Bill No. 644: Rep(s). McMillan as prime sponsor(s).

House Bill No. 681: Rep(s). Bell as prime sponsor(s).

House Bill No. 795: Rep(s). Cantrell as prime sponsor(s).

House Bill No. 972: Rep(s). West as prime sponsor(s).

House Bill No. 1659: Rep(s). Head, Patton, Eckles, Burchett, Hassell and Odom as prime sponsor(s).

REPORT OF CHIEF ENGROSSING CLERK

March 23, 1995

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 147, 153, 160 and 169.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

March 23, 1995

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 366 and 497; House Joint Resolution(s) No(s). 144; also, House Resolution(s) No(s). 29.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 23, 1995

THURSDAY, MARCH 23, 1995 -- TWENTY- FOURTH LEGISLATIVE DAY

The Speaker signed the following: House Bill(s) No(s). 366 and 497; House Joint Resolution(s) No(s). 144; also, House Resolution(s) No(s). 29.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 23, 1995

MR. SPEAKER: I am directed by the Senate to request the return of Senate Bill(s) No(s). 1783, for further consideration.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 23, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 119, 120 and 128; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 119 -- Memorials, Retirement -- Steve Conrad, Hamilton County Election Commission Registrar--Large. by *Crutchfield.

Senate Joint Resolution No. 120 -- Memorials, Public Service -- UPS, philanthropic efforts in East Tennessee. by *Atchley, *Hamilton.

Senate Joint Resolution No. 128 -- Memorials, Recognition and Thanks -- Rev. Felton M. Smith, Jr., 25 years with Temple of Faith Church. by *Crutchfield.

MESSAGE FROM THE SENATE

March 23, 1995

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 592; substituted for the Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 23, 1995

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 279; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 23, 1995

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1834; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS
March 23, 1995

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1834.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
March 23, 1995

The Speaker signed the following: House Bill(s) No(s). 1834.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 23, 1995

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1832, 1833, 1836, 1838 and 1841; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 23, 1995

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 125, 150, 151, 152, 156, 159 and 162; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS
March 23, 1995

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 17, 173, 278, 953, 1069, 1118, 1244 and 1739; also, House Joint Resolution(s) No(s). 97, 120, 174, 175, 177, 178 and 179.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK
March 23, 1995

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 1834.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 23, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 170 and 200; also, Senate Joint Resolution(s) No(s). 125; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 23, 1995

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 366, 497 and 1834; also, House Joint Resolution(s) No(s). 144; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
March 23, 1995

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 366 and 497; also, House Joint Resolution(s) No(s). 144.

BETTY KAY FRANCIS, Chief Engrossing Clerk.
MESSAGE FROM THE GOVERNOR
March 23, 1995

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1834, with his approval.

HARDY MAYS, Counsel to the Governor.

MESSAGE FROM THE SENATE
March 23, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 40, 97, 107, 109, 111, 112, 113, 114, 116, and 117; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Joint Resolution No. 40 --** General Assembly, Statement of Intent or Position -- Asserts Tennessee's sovereignty under Tenth Amendment to U.S. Constitution over all powers not otherwise enumerated and granted to federal government by U.S. Constitution. by *Fowler, *Wilder.

Senate Joint Resolution No. 97 -- Memorials, Congress -- Memorializes Congress to establish day of national observance to honor American family. by *Burks, *Wallace, *Springer, *Fowler, *Womack, *Kyle.

Senate Joint Resolution No. 107 -- Memorials, Professional Achievement -- Carolyn Payne, 1994 Teacher Excellence Award, Hamilton County. by *Crutchfield.

Senate Joint Resolution No. 109 -- Memorials, Death -- Martha Rimlinger O'Rear. by *Rochelle, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Dixon, *Elsea, *Ford, *Fowler, *Gilbert, *Hamilton, *Harper, *Haun, *Haynes, *Henry, *Holcomb, *Jordan, *Koella, *Kyle, *Leatherwood, *McNally, *Miller, *O'Brien, *Person, *Rice, *Springer, *Wallace, *Wilder, *Womack, *Wright.

Senate Joint Resolution No. 111 -- Memorials, Retirement -- Joseph Daniel Buckner. by *Springer, *Kyle.

Senate Joint Resolution No. 112 -- Memorials, Retirement -- Sidney Chism. by *Dixon, *Kyle.

Senate Joint Resolution No. 113 -- Memorials, Personal Achievement -- Matthew Morrell, Eagle Scout. by *Haun.

Senate Joint Resolution No. 114 -- Memorials, Academic Achievement -- Amqui Elementary School of Madison, selected best school in state by Redbook magazine. by *Haynes.

Senate Joint Resolution No. 116 -- Memorials, Death -- James H. McMahon, IV. by *McNally, *Jordan.

Senate Joint Resolution No. 117 -- Memorials, Sports -- Johnson County High School basketball team. by *Crowe.

MESSAGE FROM THE SENATE
March 23, 1995

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 15, 62, 222, 279, 669, 759, 761, 1003, 1020, 1472, 1486, 1506, 1508, 1509, 1512 and 1660; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 15** -- Paternity -- Provides that, under certain specified circumstances, defendant in paternity case may demand jury trial, or juvenile court on its own motion may transfer such case to circuit or chancery court for jury trial. Amends TCA 36-2-106. by *Person.

***Senate Bill No. 62** -- Alcoholic Offenses -- Authorizes city or county to suspend or revoke beer permit or impose civil penalty rather than automatic revocation for failure to pay taxes. Amends TCA 575-104. by *Ford.

***Senate Bill No. 222** -- Criminal Procedure -- Removes defense to prosecution as accessory after the fact for persons who merely harbor or conceal relative. Amends TCA Title 39, Chapter 11. by *Haun.

***Senate Bill No. 279** -- Taxes, Business -- Authorizes 20 percent penalty on delinquent business taxes; authorizes city or county to turn delinquent account over to collection agent. Amends TCA 67-4-719. by *Springer.

***Senate Bill No. 669** -- Taxes, Real Property -- Removes requirement in present law that discount does not apply to tax due under tax relief provisions; makes early payment discount applicable only to payments made during the discount period for taxpayers making partial payment or receiving tax relief. Amends TCA Title 67, Chapter 5, Part 18. by *Person.

***Senate Bill No. 759** -- Architects and Engineers -- Authorizes board of architects, engineers and landscape architects to employ executive director who shall report to board. Amends TCA Section 62-2-205. by *Haynes.

***Senate Bill No. 761** -- Architects and Engineers -- Revises plans, specifications and reports which are required to have engineer's or architect's stamp. Amends TCA Title 62, Chapter 2. by *Haynes, *Crutchfield.

Senate Bill No. 1003 -- Pensions and Retirement Benefits -- Authorizes Tennessee Association of Assessing Officers to become participating employer in TCRS; employees to make same contributions with eligibility same as other employees of local governments; retirement system not liable for payment of allowances and state to realize no increased cost. Amends TCA. by *Hamilton, *Burks.

***Senate Bill No. 1020** -- Purchasing -- Increases threshold for sealed bid requirements to \$5,000 for local governments; requires comptroller approval of local government auditors. Amends TCA Title 5, Chapter 1, Part 2; 5-14-108; Title 5, Chapter 14, Part 2; 5-8-504; 6-56-306; Title 7, Chapter 3; Title 8, Chapter 15, Part 1; 8-4-112; 49-2-203; 54-7-112, 113. by *Henry.

Senate Bill No. 1472 -- Law Enforcement -- Restricts certain personnel records of undercover law enforcement officers from being made available to public. Amends TCA Title 10, Chapter 7, Part 5. by *Haun, *McNally, *Springer, *Crowe, *Henry, *Rice.

***Senate Bill No. 1486** -- Correctional Programs -- Gives Tennessee rehabilitation and inmate labor board authority to purchase supplies, equipment and services, except for ongoing personnel, for delivery and production of prison industry products same as it can now do with raw materials. Amends TCA Section 41-22-406. by *Kyle, *Rochelle, *Atchley, *Harper.

***Senate Bill No. 1506** -- Election Laws -- Establishes qualifying deadline for candidates for county offices in presidential election years. Amends TCA Section 2-5-101 and Section 2-13-203. by *Crutchfield.

***Senate Bill No. 1508** -- Election Laws -- Requires county election commission to submit voter registration reports to state coordinator of elections; removes first class mail requirement on voter change of address forms; establishes separate closing time for voter registration for each separate election. Amends TCA 2-2-106, 109, 2-12-114. by *Crutchfield.

***Senate Bill No. 1509** -- Election Laws -- Removes requirement of ballot envelopes for early voting ballots; requires publication of sample ballot before early voting period. Amends TCA 2-5-211, 2-6-101, 105, 108, 109, 111; 2-6-304. by *Crutchfield, *Haynes.

Senate Bill No. 1512 -- Trousdale County -- Subject to local approval, authorizes legislative body to appoint chairman pro tempore or chairman of legislative body to temporarily act as county executive if county executive files notice that he will be temporarily unable to perform his duties. by *Rochelle.

Senate Bill No. 1660 -- Municipal Government -- Increases from two to three number of special censuses city may conduct at own expense to determine allocations under gas tax and sales tax. Amends TCA Title 54, Chapter 4 and Title 67, Chapter 6. by *Person, *Leatherwood.

SIGNED
March 23, 1995

THURSDAY, MARCH 23, 1995 -- TWENTY- FOURTH LEGISLATIVE DAY

The Speaker signed the following: Senate Joint Resolution(s) No(s). 125.

ENROLLED BILLS
March 23, 1995

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Resolution(s) No(s). 33, 34 and 35.

BETTY

KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
March 23, 1995

The Speaker signed the following: House Resolution(s) No(s). 33, 34 and 35.

BETTY

KAY FRANCIS, Chief Engrossing Clerk.

CONSENT CALENDAR
March 23, 1995

The following local bills have been placed on the Consent Calendar for **March 27, 1995**: House Bill(s) No(s). 1845, 1847, 1849 and 1850.

ROLL CALL

The roll call was taken with the following results:

Present..... 95

Representatives present were: Armstrong, Arriola, Beavers, Bell, Bird, Bittle, Bowers, Boyer, Bragg, Brooks, Brown, Buck, Burchett, Byrd, Callicott, Cantrell, Chumney, Clabough, Coffey, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry, J., DeBerry, L., Duer, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Head, Herron, Hicks, Huskey, Jones, R. (Shelby), Jones, S., Jones, U. (Shelby), Joyce, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Napier, Newton, Odom, Patton, Peach, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Roach, Robinson, Sharp, Shirley, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walley, West, Westmoreland, White, Whitson, Williams (Union), Williams (Williamson), Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

RECESS MOTION

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, March 27, 1995.